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17 *Attorneys for Defendant: Otto Trucking LLC*

18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA**

20 **SAN FRANCISCO DIVISION**

21 WAYMO LLC,

22 Plaintiff,

23 v.

24 UBER TECHNOLOGIES, INC.,  
25 OTTOMOTTO LLC; OTTO TRUCKING LLC,

26 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF HONG-AN VU IN  
SUPPORT OF DEFENDANT OTTO  
TRUCKING LLC'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL EXHIBITS IN  
RELATION TO MOTION TO  
COMPEL DISCOVERY FROM  
WAYMO REGARDING ITS  
FORENSIC INVESTIGATION**

Judge: Hon. Jacqueline Scott Corley  
Trial Date: October 10, 2017

I, Hong-An Vu, declare as follows:

1. I am an associate at the law firm of Goodwin Procter LLP representing Defendant Otto Trucking LLC in this matter. I am a member in good standing of the Bar of the State of California. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Otto Trucking's Administrative Motion to File Under Seal Exhibits to Its Motion to Compel Discovery from Waymo in Relation to its Forensic Investigation of Messrs. Levandowski, Raduta, and Kshirsagar.

2. I have reviewed the following exhibits and only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Letter Brief	Highlighted portions	Plaintiff
Exhibit 1 to the Vu Declaration	Highlighted portions	Plaintiff
Exhibit 2 to the Vu Declaration	Entire Document	Plaintiff
Exhibit 3 to the Vu Declaration	Entire Document	Plaintiff
Exhibit 4 to the Vu Declaration	Highlighted portions	Plaintiff
Exhibit 5 to the Vu Declaration	Highlighted portions	Plaintiff
Exhibit 6 to the Vu Declaration	Entire Document	Plaintiff
Exhibit 8 to the Vu Declaration	Entire Document	Plaintiff
Exhibit 9 to the Vu Declaration	Entire Document	Plaintiff
Exhibit 10 to the Vu Declaration	Entire Document	Plaintiff
Exhibit 11 to the Vu Declaration	Entire Document	Plaintiff
Exhibit 12 to the Vu Declaration	Entire Document	Plaintiff

3. The highlighted portions of Exhibits 1, 2, 4 and 5 and the entirety of Exhibits 2, 3, and 6 through 12 to the Declaration of Hong-An Vu in Support of Defendant Otto Trucking's Motion to Compel Discovery From Waymo Regarding Its Forensic Investigation ("Vu Decl.") contain information that Waymo has designated "Confidential" or "Highly Confidential –

1 Attorneys' Eyes Only" pursuant to the Protective Order in this case. (*See* Vu Decl., ¶ 3.) Otto  
2 Trucking states no position about whether the confidentiality designations are appropriate. Otto  
3 Trucking anticipates that Waymo will file any necessary declarations to seal the above  
4 information pursuant to L.R 79-5.

5 4. Otto Trucking's request to seal is narrowly tailored to the information Waymo  
6 asked to be sealed.

7 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
8 11th day of August, 2017 in Los Angeles, California.

9 /s/ Hong-An Vu

10 HONG-AN VU

**ATTORNEY ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I, Neel Chatterjee, hereby attest that concurrence in the filing of this document has been obtained from any signatories indicated by a “conformed” signatures (/s/) within this document.

Dated: August 11, 2017

/s/ Neel Chatterjee  
Neel Chatterjee